

B 10 (Official Form 10) (12/11) Case 11-25836-led Claim 2-1 Filed 02/15/12 Page 1 of 42

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA		PROOF OF CLAIM
Name of Debtor: Suratvadee Rounget	Case Number: 11-25836-bam	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP		
Name and address where notices should be sent: Bank of America P.O. Box 660933 Dallas, TX 75266-0933		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number <i>(If known)</i>
Name and address where payment should be sent (if different from above): Bank of America P.O. Box 660933 Dallas, TX 75266-0933		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Telephone number:	email:	
1. Amount of Claim as of Date Case Filed: \$278,665.80		
If all or part of the claim is secured, complete item 4.		
If all or part of the claim is entitled to priority, complete item 5.		
<input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: Money Loaned, Real Property (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: 3600 / NV-11-62758	3a. Debtor may have scheduled account as: (See instruction #3a)	3b. Uniform Claim Identifier (optional): (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		
Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: 1394 October Oak Avenue, Las Vegas, NV 89123		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ <u>85,733.32</u>
Value of Property: \$ _____		Basis for perfection: <u>Recorded Deed of Trust</u>
Annual Interest Rate <u>4.3750</u> % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of Secured Claim: \$ <u>278,665.80</u>
		Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. §507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5). Amount entitled to priority: \$ _____
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).	<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____). \$ _____
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

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7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

- ☐ I am the creditor. ☐ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or ☐ I am a guarantor, surety, indorser, or other their authorized agent. codebtor. (See Bankruptcy Rule 3005.)
(Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Christopher K. Lezak, Esq.

Title: Associate Attorney

Company: McCarthy & Holthus, LLP

Address and telephone number (if different from notice address if above):

McCarthy & Holthus, LLP
9510 West Sahara Avenue, Suite 110
Las Vegas, NV 89117

ATTORNEY FOR CREDITOR

/s/ Christopher K. Lezak, Esq.

(Signature)

2/7/2012

(Date)

Telephone Number: 877-369-6122 email:bknotice@mccarthyholthus.com

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

EXHIBIT 1

Mortgage Proof of Claim Attachment

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See Bankruptcy Rule 3001(c)(2).

Name of debtor: Suratvadee ROUNGPET Case Number: 11-25836-bam
Bank of America, N.A.,
successor by merger to BAC
Home Loans Servicing, LP fka
Countrywide Home Loans
Name of Creditor: Servicing LP Last four digits of any number you
use to identify the debtors account : 3600

Part 1: Statement of Principal and Interest Due as of the Petition Date

Itemize the principal and interest due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on your Proof of Claim form).

1. Principal due (1) \$ 242,412.41

Interest Rate	From mm/dd/yyyy	To mm/dd/yyyy	Amount
4.3750 %	06/01/2009	10/01/2011	\$ 24,746.40
%			\$
%			+\$
Total interest due as of the petition date			\$ 24,746.40

Copy total here (2) + \$ 24,746.40

3. Total principal and interest due (3) \$ 267,158.81

Part 2: Statement of Prepetition Fees, Expenses, and Charges

Itemize the fees, expenses, and charges due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on the Proof of Claim form).

Description	Dates Incurred	Amount
1. Late charges		(1) \$
2. Non-sufficient funds (NSF) fees		(2) \$
3. Attorney's fees	11/04/2011	(3) \$ 480.00
4. Filing fees and court costs		(4) \$
5. Advertisement costs	11/04/2011	(5) \$ 245.00
6. Sheriff/auctioneer fees		(6) \$
7. Title costs	11/04/2011	(7) \$ 325.00
8. Recording fees	11/29/2011	(8) \$ 259.00
9. Appraisal/broker's price opinion fees		(9) \$
10. Property inspection fees	08/20/2010, 09/30/2010	(10) \$ 194.00
11. Tax advances (non-escrow)		(11) \$
12. Insurance advances (non-escrow)		(12) \$
13. Escrow shortage or deficiency (Do not include amounts that are part of any installment payment listed in Part 3.)		(13) \$
14. Property preservation expenses. Specify:		(14) \$
15. Other. Specify: <u>Process Server</u>	11/29/2011	(15) \$ 85.00
16. Other. Specify: <u>Posting Fess</u>	11/29/2011	(16) \$ 95.00
17. Other. Specify: <u>Mailing Fees</u>	11/29/2011	(17)+ \$ 239.64
See Continuation Sheet for additional Fees, Expenses, and Charges		
18. Total prepetition fees, expenses, and charges. Add all of the amounts listed above.		(18) \$ 2,347.64

Part 3. Statement of Amount Necessary to Cure Default as of the Petition Date

Does the installment payment amount include an escrow deposit?

☐

No

☒

Yes. Attach to the Proof of Claim form an escrow account statement prepared as of the petition date in a form consistent with applicable nonbankruptcy law.

1. Installment payments due

Date last payment received by creditor

6/1/2009

Number of installment payments due (1)

28**2. Amount of installment payments due**28 installments @ 2,978.06\$ 83,385.68 installments @\$ installments @+ \$ **3. Calculation of cure amount****Total installment payments due as of the petition date**\$ 83,385.68

Copy total here ►

(2) \$ 83,385.68**Add total prepetition fees, expenses, and charges**

Copy total from Part 2 here ►

+ \$ 2,347.64**Subtract total of unapplied funds (funds received but not credited to account)**- \$ 0.00**Subtract amounts for which debtor is entitled to a refund**- \$ **Total amount necessary to cure default as of the petition date**(3) \$ 85,733.32

Copy total onto Item 4 of Proof of Claim form

Post-Petition Payment Amount: \$2,895.07 effective 11/01/2011

Attachment A: Continuation Sheet**Item Part 2.17- Additional Prepetition, Fees, Expenses, and Charges:**

Description	Dates Incurred	Amount
Other. Specify: BK Attorney Fees and Costs	11/29/2011	\$ 425.00

A. Total Debt as of October 6, 2011

♦	Current Interest Rate		4.375%
♦	Principal Balance		\$ 242,412.41
♦	Homeowners Insurance	09/22/2011	\$ 866.00
♦	County Tax	07/28/2011	\$ 904.33
♦	County Tax	02/24/2011	\$ 843.98
♦	County Tax	12/21/2010	\$ 843.98
♦	County Tax	09/28/2010	\$ 843.98
♦	Homeowners Insurance	09/23/2010	\$ 873.00
♦	County Tax	08/12/2010	\$ 843.97
♦	County Tax	02/23/2010	\$ 1,166.03
♦	County Tax	12/24/2009	\$ 1,166.03
♦	County Tax	09/30/2009	\$ 1,166.03
♦	Process Server	11/29/2011	\$ 85.00
♦	Recording Fees	11/29/2011	\$ 259.00
♦	Posting Fess	11/29/2011	\$ 95.00
♦	Mailing Fees	11/29/2011	\$ 239.64
♦	Advertisement costs	11/04/2011	\$ 245.00
♦	Title Costs	11/04/2011	\$ 325.00
♦	Attorney's Fees	11/04/2011	\$ 480.00
♦	Repayment to Escrow	10/06/2011	\$ (357.98)
♦	Property Inspections	08/20/2010	\$ 97.00
♦	Property Inspections	09/30/2010	\$ 97.00
♦	BK Attorney Fees and Costs	11/29/2011	\$ 425.00
♦	Interest Due		\$ 24,746.40
	Total Amount of Claim:		\$ 278,665.80

B. Total Arrearage as of October 6, 2011

♦	28 Payments of \$2,978.06 per month 7/1/2009 through 10/1/2011 (Includes Principal, Interest, Taxes & Insurance)		\$ 83,385.68
♦	Process Server	11/29/2011	\$ 85.00
♦	Recording Fees	11/29/2011	\$ 259.00
♦	Posting Fess	11/29/2011	\$ 95.00
♦	Mailing Fees	11/29/2011	\$ 239.64
♦	Advertisement costs	11/04/2011	\$ 245.00
♦	Title Costs	11/04/2011	\$ 325.00
♦	Attorney's Fees	11/04/2011	\$ 480.00
♦	Property Inspections	08/20/2010	\$ 97.00
♦	Property Inspections	09/30/2010	\$ 97.00
♦	BK Attorney Fees and Costs	11/29/2011	\$ 425.00
	Total Arrearage		\$ 85,733.32

Attached is an imaged file copy of the promissory note made at/near the time of loan origination.

IF LEGAL FEES AND COSTS ARE INCURRED AFTER THIS PROOF OF CLAIM IS FILED, YOUR ACCOUNT MAY BE ASSESSED THOSE FEES AND COSTS IF LEGALLY PERMISSIBLE. IF SUCH FEES AND COSTS ARE NOT PAID AS PART OF THIS CASE, THEY MAY BE COLLECTED IN THE FUTURE PURSUANT TO THE TERMS OF YOUR SECURITY INSTRUMENT, THE BANKRUPTCY CODE, AND OTHER APPLICABLE LAW.

CERTIFICATE OF SERVICE

On 2/15/2012, I served the foregoing **PROOF OF CLAIM** on the following individuals by electronic means through the Court's ECF program

Kathleen A. Leavitt
courtsecf3@las13.com

Recovery Management Systems Corporation
claims@recoverycorp.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Donald Byrn
Donald Byrn

On 2/15/2012, I served the foregoing **PROOF OF CLAIM** on the following individuals by depositing true copies thereof in the United States mail at San Diego, California, enclosed in a sealed envelope, with postage paid, addressed as follows:

Suratvadee ROUNGPET
1394 October Oak Ave
Las Vegas, NV 89123

UNITED STATES TRUSTEE
300 Las Vegas Boulevard South
Suite 4300
Las Vegas, NV 89101

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: 2/15/2012

/s/ David Fry
David Fry

EXHIBIT 1